

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

John Doe, et al.,

Plaintiffs,

-against-

U.S. Immigration and Customs Enforcement, et al.,

Defendants.

19 Civ. 8892 (JSR-JLC)

**JOINT STIPULATION AND [PROPOSED] ORDER OF DISMISSAL  
WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE 41(a)(1)(A)(ii)**

WHEREAS on September 25, 2019, Plaintiffs John Doe, The Door, Make the Road New York, New York Immigration Coalition, Sanctuary for Families, and Urban Justice Center (together the “Plaintiffs”) filed a complaint (the “Complaint”) in the above-captioned matter challenging U.S. Immigration and Customs Enforcement’s (“ICE”) policy of carrying out federal civil immigration arrests of noncitizens in and around New York state courthouses without judicial warrants;

WHEREAS the Complaint alleges that in January 2017, ICE agents began dramatically increasing arrests and surveillance of noncitizens appearing in state courts, and that in early 2018, ICE issued Directive No. 11072.1 memorializing its courthouse arrest policy, leading to a 1,736% increase in ICE courthouse enforcement efforts in and around courts in New York from late 2016 to April 10, 2019;

WHEREAS on April 27, 2021, the Department of Homeland Security issued a memorandum from the then-Acting Director of ICE entitled “Civil Immigration Enforcement Action in or Near Courthouses,” which supersedes and revokes ICE Directive 11072.1 and

replaces it with interim guidance;<sup>1</sup> and

WHEREAS in light of the interim guidance and revocation of ICE Directive 11072.1, the parties now wish to dismiss the above-captioned case without prejudice or costs to either party;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel, pursuant to Federal Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, as follows:

1. The above-captioned action is voluntarily dismissed without prejudice, and without attorneys' fees and costs to any parties.
2. This Stipulation and Order may be signed in counterparts which, when taken as a whole, shall constitute one and the same document; and a facsimile or copy signature shall have the same force and effect as an original signature.

*[Remainder of page left blank intentionally]*

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<sup>1</sup> See Mem. From Acting Director Johnson and Acting Commissioner Miller to U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection, Civil Immigration Enforcement Actions in or Near Courthouses (Apr. 27, 2021), <https://www.cbp.gov/sites/default/files/assets/documents/2021-Apr/Enforcement-Actions-in-Courthouses-04-26-21.pdf>.

Dated: New York, New York  
March 20, 2023

**CLEARY GOTTlieb STEEN &  
HAMILTON LLP**

By: 

Jonathan I. Blackman  
*jblackman@cgsh.com*  
Jeffrey A. Rosenthal  
*jrosenthal@cgsh.com*  
Kylie M. Huff  
*kmhuff@cgsh.com*  
Lee Hill  
*leehill@cgsh.com*  
Vishakha S. Joshi  
*vjoshi@cgsh.com*  
One Liberty Plaza  
New York, New York 10006  
Telephone: 212-225-2000  
Facsimile: 212-225-3999

**THE LEGAL AID SOCIETY**

Lilia Toson  
*ltoson@legal-aid.org*  
Janet Sabel  
*jsabel@legal-aid.org*  
Adriene Holder  
*aholder@legal-aid.org*  
Judith Goldiner  
*jgoldiner@legal-aid.org*  
Susan E. Welber  
*sewelber@legal-aid.org*  
Hasan Shafiqullah  
*hhshafiqullah@legal-aid.org*  
199 Water Street, 3rd Fl.  
New York, NY 10038  
Tel: (212) 577 3300

*Attorneys for the Plaintiffs*

Dated: New York, New York  
March 20, 2023

**DAMIAN WILLIAMS**


United States Attorney for the Southern District  
of New York

By: 

Tomoko Onozawa  
*tomoko.onozawa@usdoj.gov*  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel.: (212) 637-2721  
Fax: (212) 637-2686

*Attorney for the Defendants*

SO ORDERED:

  
HONORABLE JED S. RAKOFF  
UNITED STATES DISTRICT JUDGE  
Dated: 8-28-23